

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46388 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- TARABARI District- Araria

Ramesh Kisku S/o Late Jiten Kisku R/o Village-Biri Navtoli, Ward
No.02,Police Station- Tarabari, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-08-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Tarabari Police Station Case No. 24 of 2024,
disclosing offences under Sections 272, 273 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise
2018.
3. As per the First Information Report, 5 liters of
illicit liquor has been recovered from the house of the petitioner.
4. Learned Counsel for the petitioner submits that
there is a discrepancy in the statement made in the FIR and the
seizure list inasmuch as in the FIR it has been mentioned that
the illicit liquor has been recovered from the courtyard of the
petitioner whereas in the seizure list it has been mentioned that



the liquor has been recovered from the western corner of the house. The petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the difference in the statement made in the FIR and the seizure list and the fact that the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Araria, in connection with Tarabari Police Station Case No. 24 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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